

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929

WP(C).No. 25962 of 2007(N)

PETITIONER:

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N.VASUDEVAN NAIR,  
HIGH SCHOOL ASSISTANT(NS),  
M.T.D.M.H.S., MALOOR,  
KOLLAM DISTRICT.

BY ADV. SRI.B.S.SWATHY KUMAR  
SRI.BINDU SREEKUMAR

RESPONDENTS:

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1. THE DEPUTY DIRECTOR OF EDUCATION,  
KOLLAM.
  2. THE DISTRICT EDUCATIONAL OFFICER,  
KOTTARAKKARA.
  3. SOCIETY OF THE ORDER OF SACRED  
TRANSFIGURATION CORPORATE MANAGEMENT OF SCHOOLS,  
REPRESENTED ITS CORPORATE MANAGER,  
FR. K.A.ABRAHAM, MOUNT TABOR, PATHANAPURAM,  
KOLLAM.
  4. SISTER A. ANNAKUTTY,  
HIGH SCHOOL ASSISTANT(N.S),  
M.T.D.M.H.S., MALOOR, KOLLAM DISTRICT.
  5. SUSAN GEORGE(JR),  
HIGH SCHOOL ASSISTANT (N.S),  
ST. STEPHEN'S HIGH SCHOOL, PATHANAPURAM,  
KOLLAM.

R1, R2 BY GOVT. PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 24/08/2007, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**THOTTATHIL B.RADHAKRISHNAN, J.**

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W.P(C).No.25962 OF 2007  
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Dated this the 24<sup>th</sup> day of August, 2007

**JUDGMENT**

The petitioner's complaint is regarding different transfers and postings made by the Manager of a Corporate educational agency, in the aided sector. The plea of the petitioner is that he has been ordered to be transferred to the northern end of Kerala, though he has only less than 2 ½ years of service and that the directions and declarations of law, as made by this Court in **Valsa v. Director of Public Instructions** [2002 (2) KLT 610 (DB)], have been mis-quoted by the Corporate Manager in making the impugned transfers.

2. But this is an issue that could gain attention only on the basis of statutory objections before the statutory authorities and not of this Court in jurisdiction under Article 226 of the Constitution of India.

In the result, this writ petition is disposed of directing that if the petitioner applies to the Director of Public Instructions complaining about the impugned orders, that would gain the attention of the DPI at the earliest, at any rate, within a week of receipt of a copy of this judgment, along with the application. Any application for interlocutory orders, pending such consideration, will also be considered by that authority.

Sd/-

**THOTTATHIL B.RADHAKRISHNAN,**  
**Judge**

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